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EXECUTIVE ORDER

PROVIDING FOR THE TRANSFER OF CRIMINAL AND MAJOR ADMINISTRATIVE
INVESTIGATIONS INVOLVING DSHS EMPLOYEES TO THE STATE PATROL

WHEREAS, State government must be fair and impartial in all matters and must treat its employees with the utmost respect and fairness; and

WHEREAS, in sensitive matters involving allegations of state employee misconduct or criminal behavior, the citizens of the state must be assured that a thorough and impartial investigation will be conducted and, where appropriate, disciplinary action or criminal prosecution will follow the findings of that investigation; and

WHEREAS, we must avoid even the appearance of unfairness in this process; and

WHEREAS, current employee investigations at the Department of Social and Health Services (DSHS) are conducted by an internal unit and there is a risk that these investigations may not appear to be completely fair due to the chance of conflict of interest or undue influence on the investigation; and

WHEREAS, the citizens of the State of Washington are entitled to know that DSHS employees are subject to impartial investigations by officers trained to distinguish between administrative and criminal matters and to develop cases for successful prosecution, and whose primary responsibilities are to conduct investigations of employee wrongdoing,

NOW, THEREFORE, I, Mike Lowry, Governor of the state of Washington, by virtue of the authority invested in me, order and direct as follows:

- 1.** Effective today, DSHS - Office of Special Investigations (OSI) will no longer conduct all criminal and major administrative investigations involving DSHS employees. This consists of all employee investigations previously conducted by OSI - Special Investigations Unit. The Special Investigations Unit of OSI will be eliminated.
- 2.** The Washington State Patrol (WSP) and DSHS will enter into an interagency agreement for criminal and major administrative investigations that involve DSHS employees. The criteria for cases to be transferred to the WSP will be as follows:
 - A.** All alleged criminal cases constituting a violation deemed to be a gross misdemeanor or felony.

- B.** All major administrative investigations consisting of allegations of willful or wanton disregard for DSHS policies and procedures which would include but not be limited to the following: gross failure to perform essential job duties, failure to conform to law which would constitute a gross misdemeanor, allegations of abuse of position and any other cases deemed necessary by the Secretary of DSHS in consultation with the Chief of WSP.
- 3.** Specific protocols for the referral of cases from DSHS to the WSP will be developed by the WSP in conjunction with management from DSHS. Once the protocols have been established the WSP will provide training to DSHS staff regarding their implementation.
- 4.** All pending employee investigation cases in the Special Investigations Unit will be immediately transferred to the WSP for completion. This order excludes the activities of the Illegal Income Investigation (III) Team pending completion of its work.
- 5.** In addition, DSHS staff will provide training to WSP investigators regarding unique issues relating to DSHS employees, clients, programs, policies or guidelines that might assist WSP in conducting both criminal and administrative investigations.
- 6.** The investigations outlined above will be funded from the Department of Social and Health Services, OSI-Special Investigations Unit budget.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia on this 5th day of January, A.D., nineteen hundred and ninety-six.

Mike Lowry
Governor

BY THE GOVERNOR:

Ralph Munro
Secretary of State

EXECUTIVE ORDER

INSTITUTIONALIZING ACCOUNTABILITY IN THE
CHILDREN'S SERVICES SYSTEM

WHEREAS, the children's services system in Washington state must be committed to implementing and maintaining effective accountability mechanisms; and

WHEREAS, child welfare experts in Washington state concur on the specific changes needed for improved accountability; and

WHEREAS, accountability in the children's services system can be enhanced by informing the public on key performance measures; and

WHEREAS, an annual report card on the performance of the children's services system also can improve outcomes for children and their families; and

WHEREAS, the state's accountability for the health and safety of children under it's [its] protection and in it's [its] care can be enhanced by careful review and ongoing monitoring; and

WHEREAS, decision-making for children under the state's protection or in it's [its] care should not be done in isolation and should be reviewed on a regular basis; and

WHEREAS, accountability in the children's services system can be enhanced through systematic use of teams for key decision-making; and

WHEREAS, current law does not require shared decision-making in the provision of services to children,

NOW, THEREFORE, I, Mike Lowry, Governor of the State of Washington, by virtue of the power vested in me, do hereby order the following:

1. Beginning on July 1, 1997, the Department of Social and Health Services (DSHS) shall prepare an annual quality assurance report card which shall include but is not limited to: performance outcomes regarding health and safety of children in the children's services system; children's length of stay in out-of-home placement, adherence to permanency planning timelines, and; the response time on CPS investigations.

2. DSHS shall designate and maintain at least one group home monitor in each DSHS region whose responsibility shall be to monitor the health, safety and planning for children in group care.
3. DSHS shall implement and maintain a systematic shared-decision making process for key decisions affecting children's health, safety and welfare. This process shall clarify employees' roles and decision making responsibilities throughout the chain of command so that individual roles and responsibilities are focused and clear. The Department shall monitor the implementation of shared decision-making.
4. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia on this 11th day of January, A.D., nineteen hundred and ninety-six.

Mike Lowry
Governor

BY THE GOVERNOR:

Ralph Munro
Secretary of State

EXECUTIVE ORDER

STRENGTHENING OUT-OF-HOME CARE LICENSING

WHEREAS, the health and safety of children placed by the state in out-of-home care is of paramount importance, and

WHEREAS, licensing is the primary means employed by the state to protect the health and safety of children in out-of-home care and should always be accompanied by vigilant monitoring and strong enforcement measures, and

WHEREAS, national child welfare organizations recognize that separation of the state's licensing and placement activities provides better protection for the health and safety of children in out-of-home care, and

WHEREAS, separation of the licensing and placement functions that are now located in the Department of Social and Health Service's Division of Children and Family Services (DCFS) will eliminate the conflicting pressures of insuring children's health and safety and locating scarce placements for abused or neglected children.

NOW, THEREFORE, I, Mike Lowry, Governor of the State of Washington, direct the Department of Social and Health Services to form a separate division of licensing within the Children's Administration. This division shall have a separate director who shall report directly to the Assistant Secretary for the Children's Administration.

1. The new DCFS licensing division shall be responsible for licensing, recruitment and enforcement responsibilities including but not limited to licensing denials, suspension, and revocation. The functions of licensing of potential and existing placements and the placement of children in out-of-home care are to be clearly separate.
2. The types of licenses to be handled by the new division shall include the following categories of care: foster home; group home; crisis residential center; respite care; overnight youth shelter; child placing agency; adoption agency, and; other categories of care that may be established by rule.
3. This Executive Order shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia on this 11th day of January, A.D., nineteen hundred and ninety-six.

Mike Lowry
Governor

BY THE GOVERNOR:

Ralph Munro
Secretary of State

EXECUTIVE ORDER

IMPLEMENTING THE AMERICANS WITH DISABILITIES ACT
AND SUPERSEDING EXECUTIVE ORDER 93-03

WHEREAS, Washington has a strong history of protecting the rights of people with disabilities through such laws and regulations as the Washington State Law Against Discrimination and the Barrier Free Design Standards; and

WHEREAS, the Americans with Disabilities Act strengthens and clarifies the rights of the over half a million Washingtonians with disabilities by further opening the doors of opportunity and inclusion; and

WHEREAS, the Americans with Disabilities Act requires that all services, programs, and activities, when viewed in their entirety, be readily accessible to and usable by people with disabilities, whether such services and programs are directly provided by state agencies or through purchase agreements or other contracts; and

WHEREAS, Washington will not be meeting its most basic responsibility until all Washingtonians can equally participate in and enjoy the benefits of state services and programs;

NOW, THEREFORE, I, Mike Lowry, Governor of the State of Washington, by virtue of the power invested in me, do hereby order and direct as follows:

1. No state agency, board, or commission under the executive branch shall discriminate against an individual on the basis of disability. Individuals with disabilities, whether state employees, applicants, clients of state services, or members of the general public, shall be treated with respect and dignity and provided meaningful access to state services, programs, activities, and employment opportunities.
2. Each executive branch agency, board and commission shall appoint an ADA coordinator to execute a self-evaluation and transition plan and oversee implementation of the ADA.
3. Executive branch agencies, boards and commissions shall ensure that public meetings, hearings, and conferences are held in locations free of mobility barriers, and that sign language interpreters, assistive devices, and information in alternate forms (Braille, large print, or audio tapes) shall be provided upon request.
4. In communicating with employees, applicants, clients of services, or the general public, all state agencies, boards and commissions shall ensure that Teletypewriters (TTYs), sign

language interpreters, assistive devices, and information in alternate formats shall be provided upon request.

5. Each executive branch agency, board and commission shall review its use of information technology, including computers, video conferencing, kiosks, telephone information systems, etc. and identify barriers that employees or members of the public with disabilities experience in utilizing these systems. Agencies shall consult with persons with disabilities in identifying barriers and developing solutions to such barriers. As agencies develop, design, or redesign new technology systems, the agency director shall assure that the agency has taken reasonable steps to eliminate barriers that current users with disabilities face in utilizing these systems. The agency shall develop a plan to eliminate additional barriers should the need arise in the future. The Office of Financial Management, the Department of Information Services, and the Information Services Board and other appropriate agencies shall assist agencies to identify solutions through technical assistance and consultation.
6. The director of the Department of General Administration shall ensure that all newly-constructed buildings or those undergoing major renovation in excess of \$5 million over which the director has authority comply fully with the state barrier free code. The director shall convene a panel representing persons with disabilities, the state Building Code Council, and the Governor's Committee on Disability Issues and Employment to review architectural design development plans for said projects prior to final approval. The panel shall provide barrier-free access review for plans submitted by the Department of Transportation, natural resource agencies, and institutions of higher education.
7. The Governor's ADA coordinator shall establish a task force to assist state agencies to meet the objectives of this executive order. The task force shall develop consistent policies on the provision of reasonable accommodation and sign language interpreters, the location of TTYs and Braille printers, and other policies that affect all state agencies. The task force shall be comprised of state employees and citizens with expertise in particular ADA issues and shall be convened by the Governor's ADA coordinator as needed.
8. This executive order supersedes Executive Order 93-03, which is hereby rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State of Washington to be affixed at Olympia this 22nd day of March, A.D., nineteen hundred and ninety-six.

Mike Lowry
Governor

BY THE GOVERNOR:

Ralph Munro
Secretary of State